

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JOSEPH A. LIGOTTI, JR. and)
PAULA LIGOTTI,)
Plaintiffs,)
v.) Case No. 1:16-cv-12095-MLW
DITECH FINANCIAL LLC,)
Defendant.)

)

**JOINT NOTICE OF BANKRUPTCY STATUS AND
PROPOSED SCHEDULE FOR DISCOVERY AND DISPOSITIVE MOTIONS**

Plaintiffs Joseph A. Ligotti, Jr. and Paula Ligotti (together, the “Plaintiffs”) and Defendant Ditech Financial LLC (“Ditech”) (collectively, the “Parties”) hereby submit this Joint Notice of Bankruptcy Status and Proposed Schedule for Discovery and Dispositive Motions in response to the Court’s Order dated October 7, 2021 (ECF 29).

On June 3, 2020, the United States Bankruptcy Court for the Southern District of New York entered an Order in case number 19-10412 barring the Plaintiffs from continuing to maintain and prosecute monetary claims for damages against Ditech under the injunction provisions of the Bankruptcy Plan and Confirmation Order. *See* Ditech Financial LLC’s Notice of Bankruptcy Court Order dated June 5, 2020 (ECF 25). Pursuant to the Bankruptcy Court’s Order, on June 11, 2020, the Parties stipulated to the dismissal of Plaintiffs’ claims for monetary relief. *See* Joint Stipulation of Dismissal of Claims Against Ditech Financial LLC for Monetary Recovery Without Prejudice (ECF 26). The stay of this matter should now be lifted and litigation may resume to the extent that Plaintiffs’ remaining claims seek non-monetary relief.

The Parties jointly propose the following schedule:

1. All fact discovery shall be completed by February 28, 2022.
2. The Parties shall file any dispositive motions by March 30, 2022. Any opposition shall be filed within 21 days from service of the motion and any reply shall be filed within 14 days from service of the opposition.

Respectfully submitted,

Plaintiffs,

JOSEPH A. LIGOTTI, JR. AND
PAULA LIGOTTI,

By their attorney,

/s/ Chaz R. Fisher

Chaz R. Fisher (BBO# 649059)
FISHER LEGAL, PA
217 Hanover St #184
Boston, MA 02113
Tel: 617-851-1560
Fax: 561-424-8106
Email: Chaz@FisherLegalPA.com

Defendant,

DITECH FINANCIAL LLC,

By its attorneys,

/s/ Carson M. Shea

Peter F. Carr, II (BBO# 600069)
Carson M. Shea (BBO# 694237)
ECKERT SEAMANS CHERIN & MELLOTT, LLC
Two International Place, 16th Floor
Boston, MA 02110
Tel: 617.342.6800
Fax: 617.342.6899
Email: pcarr@eckertseamans.com
Email: cshea@eckertseamans.com

Dated: October 25, 2021

CERTIFICATE OF SERVICE

I, Carson M. Shea, certify that on this date this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to the non-registered participants.

Date: October 25, 2021

/s/ Carson M. Shea
Carson M. Shea